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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,041	10/03/2003	Robert A. Kennedy	SPL-44	1663

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SQUARE D COMPANY
LEGAL DEPARTMENT - I.P. GROUP
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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/679,041	KENNEDY ET AL.	
	Examiner	Art Unit	
	Yean-Hsi Chang	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/18/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/6/07 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "electrical power equipment" and "Ethernet communication port" claimed in claims 1 and 12; must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

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is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the "electrical power equipment", "Ethernet communication port", "power distribution enclosure", "control center", "circuit breaker panel enclosure", "electrical switchgear cabinet", "electrical unit substation", "electrical distribution switchboard", and "low-power wireless port" claimed are not discussed in the specification. There are "electrical equipment" and "Ethernet port" found in the specification.

Claim Objections

4. Claims 1, 8 and 12 are objected to because of the following informalities: The "said power equipment" in claims 1 and 12, and "said power monitoring equipment" in claim 8 lack antecedent bases. The "electrical power equipment" may not be "the power equipment". Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Staber et al. (EP 0966147 A2).

Staber teaches an electrical equipment enclosure (10) comprising: an electrical enclosure (15), an electrical power equipment (60) mounted in said electrical enclosure, and a pair of Ethernet communication ports (21, 34c) mounted to said enclosure and operatively coupled with said electrical power equipment for connecting said electrical power equipment with equipment outside of said enclosure (see fig. 1), one (21) of said ports being inaccessible from outside said enclosure when said enclosure is installed, the other (34c) of said ports being accessible from outside said enclosure when said

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enclosure is installed to enable coupling of said electrical power equipment inside said enclosure to an Ethernet outside said enclosure (see fig. 1 and col. 5, lines 9-12) and a method for providing the same (claims 1 and 12); wherein said enclosure is a power distribution enclosure (see fig. 1) (claim 2); wherein said enclosure is a control center (splitter controls data flow) (claim 3); wherein said enclosure is a circuit breaker panel enclosure (connectors inside may connect or disconnect circuits) (claim 4); wherein said enclosure is an electrical switchgear cabinet (connectors may be considered as switchgears) (claims 5 and 7); wherein said enclosure is an electrical unit substation (a part of a system as shown in fig. 1) (claim 6); an Ethernet hub (62) providing a plurality of Ethernet connection ports (34a and 34c) mounted inside of said enclosure and operatively connected with said Ethernet communication ports and with said power equipment (claim 8); wherein said enclosure has an accessible front surface (36), and wherein said network port is mounted to and accessible at said front surface (shown in fig. 2) (claim 9).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 10-11 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staber et al. in view of PowerLogic Circuit Monitor-Series 2000 (Class 3020, Square D/Schneider Electric Product Literature, 6 pages, dated 1999).

Staber discloses the claimed invention except the electrical equipment being a power monitoring equipment and having Ethernet communication port being an infrared wireless port.

PowerLogic Circuit Monitor-Series 2000 teaches a power monitoring equipment having a wireless communications port being an optical communications port and being built into the front panel as listed on page 1 and stated in section Optical Communications Interface on page 5.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Bilas with the communications port taught by PowerLogic Circuit Monitor-Series 2000 for users to retrieve data directly from the front panel.

Response to Arguments

9. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence


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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 08:00 - 16:00, Monday, Tuesday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
March 29, 2007



YEAN-HSI CHANG
PRIMARY EXAMINER